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09/865,287	05/25/2001	David C. Tracey	2079.003200	5166
23879	7590	06/15/2004	EXAMINER	
BRIAN M BERLINER, ESQ O'MELVENY & MYERS, LLP 400 SOUTH HOPE STREET LOS ANGELES, CA 90071-2899			MOSLEHI, FARHOOD	
		ART UNIT		PAPER NUMBER
		2154		
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Please find below and/or attached an Office communication concerning this application or proceeding.

PPL

Office Action Summary	Application 09/865,287	Applicant(s) TRACEY, DAVID C.	
	Examiner Farhood Mosleh	Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 08 April 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-4,6,8-12,14,16-20,22,23,25-30,32,33,36-44,46,48-56 and 58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-4,6,8-12,14,16-20,22,23,25-30,32,33,36-44,46,48-56 and 58 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

1. Claims 1-4, 6, 8-12, 14, 16-20, 22-23, 25-30, 32-33, 36-44, 46, 48-56 and 58 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1,6,9,14,17,22,27,32,36-39,41-43,46,48-51,53,54,55,58 are rejected under 35 U.S.C. 102(b) as being anticipated by Stucka et al. (5,596,702) (hereinafter Stucka).

4. As per claim 1, Stucka teaches a method for supplanting a Motif dialog box, comprising: interposing a functionality between a graphical interface of an application and an Xt Library layered on top an X-Window system (e.g. col. 19, lines 54-60);

Intercepting a function call from the graphical interface for a display of a Motif dialog box from the X-Window system (e.g. col. 9, lines 13-17); Determining whether the Motif dialog box is to be supplanted; and supplanting the Motif dialog box (e.g. col. 23, lines 38-45); wherein supplanting the Motif dialog box includes:

Modifying at least one parameter in the intercepted function call (e.g. Cols. 14 and 15, table 1);

Re-calling the display of the Motif dialog box with the modified parameter (e.g. Cols. 14 and 15, table 1); and displaying a modified Motif dialog box (e.g. Cols. 14 and 15, table 1).

5. As per claim 9, it is rejected for similar reasons as stated above.
6. As per claim 17, it is rejected for similar reasons as stated above.
7. As per claim 27, it is rejected for similar reasons as stated above.
8. As per claim 36, it is rejected for similar reasons as stated above.
9. As per claim 48, it is rejected for similar reasons as stated above.
10. As per claim 6, Stucka teaches the method wherein supplanting the Motif dialog box includes: calling a callback function (e.g. col. 6,7, lines 65-67 and 1-13 respectively); or suppressing the Motif dialog box (e.g. col. 17, lines 35-45).
11. As per claim 14, it is rejected for similar reasons as stated above.
12. As per claim 22, it is rejected for similar reasons as stated above.
13. As per claim 32, it is rejected for similar reasons as stated above.
14. As per claim 46, it is rejected for similar reasons as stated above.
15. As per claim 58, it is rejected for similar reasons as stated above.
16. As per claim 37, Stucka shows the computing system, wherein the computing system comprises a single computing device (Figure 2).
17. As per claim 49, it is rejected for similar reasons as stated above.

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18. As per claim 38, Stucka shows the computing system, wherein the computing system comprises a plurality of computing devices (Figure 1, Prior Art).
19. As per claim 50, it is rejected for similar reasons as stated above.
20. As per claim 39, Stucka shows the computing system, wherein the application resides on a first one of the plurality of computing devices and at least one of the X-Window system, the Xt library, and the interposed library reside on a second one of the plurality of computing devices (Figure 1, Prior Art).
21. As per claim 51, it is rejected for similar reasons as stated above.
22. As per claim 41, Stucka shows the computing system, wherein the graphical interface is a Motif graphical interface (e.g. col. 2, lines 43-51).
23. As per claim 53, it is rejected for similar reasons as stated above.
24. As per claim 42, Stucka demonstrates the computing system wherein the original function is an original XtManageChild() function (e.g. col. 26, lines 45-55). The hierarchy and the management of parent-child component relationship is demonstrated through examples.
25. As per claim as per claim 54, it is rejected for similar reasons as stated above.
26. As per claim 43, Stucka demonstrates a computing system wherein the interposed function is an interposed XtManageChild() function (e.g. col. 14-15, Table I).
27. As per claim 55, it is rejected for similar reasons as stated above.

Claim Rejections - 35 USC § 103

28. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

29. Claim 2,3,10,11,18,19, 28,29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stucka in view of Jones et al. (6,118,446) (hereinafter Jones).

30. As per claim 2, Stucka does not specifically teach the method wherein intercepting the function call includes calling the interposed function corresponding to an original function. Jones shows the method wherein intercepting the function call includes calling the interposed function corresponding to an original function (e.g. col. 9, lines 1-18). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Stucka with Jones. The motivation would have been to override an intercepted function in order to use the same function names repeatedly.

31. As per claim 10, it is rejected for the similar reasons as stated above.

32. As per claim 18, it is rejected for similar reasons as stated above.

33. As per claim 28, it is rejected for similar reasons as stated above.

34. As per claim 3, Stucka does not specifically teach the method, further comprising redirecting an operating system from the original function to the interposed function. Jones teaches the method, further comprising redirecting an

operating system from the original function to the interposed function (e.g. col. 9, lines 1-25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Stucka with Jones. The motivation would have been to redirect the operating system to perform the needed task such as the creating a new display with specific widgets.

35. As per claim 11, it is rejected for the similar reasons as stated above.
36. As per claim 19, it is rejected for similar reasons as stated above.
37. As per claim 29, it is rejected for similar reasons as stated above.
38. Claims 4,8,12,16,20,23,30,33,44,56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stucka in view of Parker et al. (5,600,789) (hereinafter Parker).
39. As per claim 4, Stucka does not specifically show the method wherein determining whether the Motif dialog box is to be supplanted includes: Calling a naming function to identify the Motif dialog box in the intercepted call; and comparing the name returned by the naming function against a plurality of Motif dialog box names that are to be supplanted. Parker teaches the method wherein determining whether the Motif dialog box is to be supplanted includes: Calling a naming function to identify the Motif dialog box in the intercepted call (e.g. col. 12, lines 40-54); and comparing the name returned by the naming function against a plurality of Motif dialog box names that are to be supplanted (e.g. col. 13, lines 20-31). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Stucka with Parker. The motivation

would have been to pass new parameters to the intercepted function call in order for the object to have a different look and feel.

40. As per claim 12 it is rejected for similar reasons as stated above.
41. As per claim 8, it is rejected for similar reasons as stated above.
42. As per claim 16, it is rejected for similar reasons as stated above.
43. As per claim 20, it is rejected for similar reasons as stated above.
44. As per claim 23, it is rejected for similar reasons as stated above.
45. As per claim 30, it is rejected for similar reasons as stated above.
46. As per claim 33, it is rejected for similar reasons as stated above.
47. As per claim 44, it is rejected for similar reasons as stated above.
48. As per claim 56, it is rejected for similar reasons as stated above.
49. Claims 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stucka in view of Parker and in further view of Jones.
50. As per claim 25, Stucka combined with parker show the programmed computing device, wherein, upon determining whether the Motif dialog box is to be supplanted, the programmed method includes:

If the Motif dialog is to be modified:

Modifying at least one parameter in the intercepted call;

Re-calling the display of the Motif dialog box with the modified parameter;

and displaying a modified Motif dialog box; or

If the Motif dialog box is to be suppressed:

Calling a callback function; and

Suppressing the Motif dialog box.

Stucka even when combined with Parker do not specifically show the programmed computing device, wherein intercepting the function call in the programmed method includes calling an interposed function corresponding to an original function. Jones shows the programmed computing device, wherein intercepting the function call in the programmed method includes calling an interposed function corresponding to an original function (e.g. col 9, lines 1-18). It would have been obvious to one of ordinary skills in the art at the time the invention was made to combine Stucka, Parker and Jones. The motivation would have been to override an intercepted function in order to use the same function names repeatedly.

51. As per claim 26, Stucka combined with parker show the programmed computing device, wherein, upon determining whether the Motif dialog box is to be supplanted, the programmed method includes:

If the Motif dialog is to be modified:

Modifying at least one parameter in the intercepted call;

Re-calling the display of the Motif dialog box with the modified parameter;

and displaying a modified Motif dialog box; or

If the Motif dialog box is to be suppressed:

Calling a callback function; and

Suppressing the Motif dialog box.

Stucka even when combined with Parker do not specifically show the programmed device, wherein the programmed method further comprises redirecting an operating system from the original function to the interposed

function. Jones shows the programmed device, wherein the programmed method further comprises redirecting an operating system from the original function to the interposed function (e.g. col. 9, lines 1-25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Stucka, Parker and Jones. The motivation would have been to redirect the operating system to perform the needed task such as creating a new display with specific widgets.

52. Claims 40,52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stucka in view of John Kacur (Red Hat Motif 2.1 for Linux, www.linuxjournal.com, May 01, 1999) (hereinafter Kacur).

53. As per claim 40, Stucka does not specifically show the computing system wherein the application is either a Netscape Navigator application or an Adobe Acrobat reader application. Kacur shows the computing system wherein the application is a Netscape Navigator (e.g. page 1, paragraph 3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Stucka with Kacur. The motivation would have been to show that commonly popular applications using Motif widgets run on the system.

54. As per claim 52, it is rejected for similar reasons as stated above.

55. Applicant's arguments filed on April 8, 2004 have been fully considered but are not persuasive.

56. In the remarks, applicants argued in substance that (1) Stucka does not, however, disclose or suggest that its dumb conduit 48, 52 have any intelligence to intercept a function call for a dialog box from an application and to determine

whether the dialog box is to be supplanted as is disclosed in the present application.

57. As to point (1) the examiner disagrees because the multi-tier platform discussed by Stucka is the basis for intercepting function calls. The X-Server cannot function without intercepting function calls with a certain level of intelligence.

58. In the remarks, applicants argued in substance that (2) Parker teaches away from any modifications of a dialog box so that it would appear not to be the same as would be provided directly from an application.

59. As to point (2) the examiner disagrees because the test tool can make direct function calls to the GUI in order to retrieve information (e.g. col. 13, lines 5-10).

60. In the remarks, applicants argue in substance that (3) Stucka and Parker fail to suggest or disclose a computing system programmed to supplant a Motif dialog box, the computing system comprising:

An application including:

A graphical interface;

An X-windows system;

An Xt library layered on top the X_Window system, the Xt library including an original function for calling the Motif dialog box; and an interposed library interposed between the graphical interface and the Xt library, the interposed library including an interposed function for intercepting the function call for the Motif dialog box, determining whether the Motif dialog box is to be supplanted,

and supplanting the Motif dialog box; wherein supplanting the Motif dialog box includes:

Modifying at least one parameter in the intercepted call; re-calling the display of the Motif dialog box with modified parameter; and displaying a modified Motif dialog box.

61. As to point (3) the examiner disagrees. Please refer to the rejection for claim 1. Furthermore, Stucka clearly shows at least a three tiered system whereby an interposed library interposed between the graphical interface and the Xt library, the interposed library including an interposed function for intercepting the function call for the Motif dialog box, determining whether the Motif dialog box is to be supplanted, and supplanting the Motif dialog box (e.g. Figure 4).

Conclusion

62. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farhood Moslehi whose telephone number is 703-305-8646. The examiner can normally be reached on M-F 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 703-305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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